1 2 3 4 UNITED STATES DISTRICT COURT 5 WESTERN DISTRICT OF WASHINGTON 6 AT TACOMA 7 BURT BOBBY DANIELS, 8 No. 09-5542RJB/JRC Plaintiff, 9 ORDER CONSOLIDATING CASES v. 10 ASSOCIATE SUPERINTENDENT HARRIS, 11 et al., 12 Defendants. 13 14 This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned 15 Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate 16 Judges' Rules MJR 1, MJR 3, and MJR 4. 17 Before the court is Defendant's motion for summary judgment (Dkt. #29). In that 18 motion, defendants note that there are five other identical cases (Dkt. # 29 FN 1). The other five 19 cases are: 20 21 1. Mujahid v. Duncan 09-CV-5601RJB/JRC 22 2. Atkins v. Harris 09-5625BHS/KLS 23 3. Berry v. Duncan 10-CV- 5042BHS/KLS 24 4. Coley v. Harris 10-CV-5112RBL/KLS 25 Dumas v. Harris 10-CV-5341RBL/KLS 5. 26

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The five cases listed above will be consolidated under this cause number. The summary judgment motion filed in this case and noted for September 10, 2010, (Dkt. # 29) is re-noted on the court's own motion for **December 10, 2010**.

If defendants wish to file a different summary judgment motion based on the consolidation they must do so on or before **October 22, 2010**.

Plaintiff's are instructed to file one consolidated response brief signed by all plaintiffs. The brief may not exceed 25 pages and must be filed on or before **November 19, 2010**. Any reply brief must be filed on or before **December 3, 2010**.

The Clerk's Office is directed to send all six plaintiffs a copy of this order and re-note the Summary Judgment Motion for **December 10, 2010**. A copy of this order should be placed in each case consolidated.

DATED this 4th day of October, 2010.

J. Richard Creatura

United States Magistrate Judge